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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Young et al.**

Art Unit No.: **1632**

Application No.: **10/081,400**

Examiner: **Joseph T. Woitach**

Filed: **February 20, 2002**

For: **ERYTHROPOIETIN ANALOG-HUMAN SERUM ALBUMIN FUSION**

Attorney Docket Number: **GTC-6D**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY/AMENDMENT**

Dear Sir,

This reply is being filed in response to the Office Action mailed July 28, 2004 in connection with the above-identified patent application. A Response to the July 28, 2004 Office Action was due October 28, 2004 according to the shortened statutory period of three months established by the Examiner in compliance with 35 USC § 133. With the filing of a Petition for a three-month extension of time herewith, this Amendment is being timely filed on January 28, 2005. Prior to examination on the merits, please amend the above-identified application as follows:

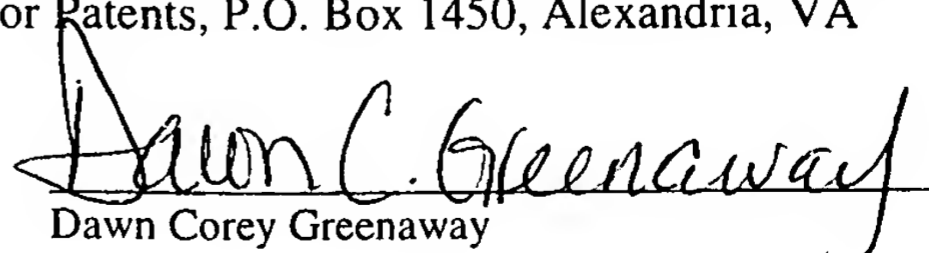
**Amendments to the Specification** are reflected on page 2 of this paper.

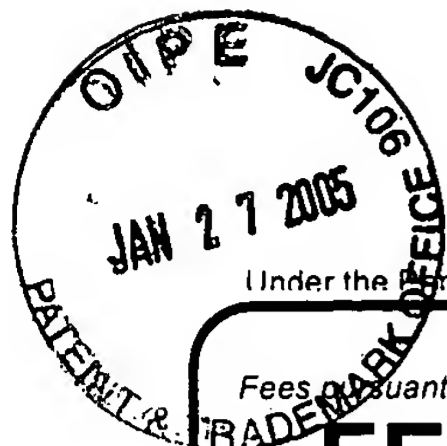
**Amendments to the Claims** begin on page 19 of this paper.

**Remarks** begin on page 26 of this paper.

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that this correspondence is being deposited on January 28, 2005 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Dawn Corey Greenaway



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

**Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/081,400        |
| Filing Date          | February 20, 2002 |
| First Named Inventor | Michael Young     |
| Examiner Name        | J. Weitach        |
| Art Unit             | 1632              |
| Attorney Docket No.  | GTC-6D            |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 502092 Deposit Account Name: GTC Biotherapeutics, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50       | 25                    |
| 200      | 100                   |
| 360      | 180                   |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims             | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------------------|--------------|----------|---------------|
| _____ - 20 or HP = _____ | x _____      | = _____  |               |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims           | Extra Claims | Fee (\$) | Fee Paid (\$) |
|-------------------------|--------------|----------|---------------|
| _____ - 3 or HP = _____ | x _____      | = _____  |               |

HP = highest number of independent claims paid for, if greater than 3.

| Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------------------|----------|---------------|
|                           |          |               |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets        | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|---------------------|--------------|--|----------|---------------|
| _____ - 100 = _____ | / 50 = _____ | (round up to a whole number) x _____             | = _____  |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fees for new claims as added by Amendment filed herewith

500

**SUBMITTED BY**

|                   |                |  |                          |
|-------------------|----------------|--|--------------------------|
| Signature         |                | Registration No. (Attorney/Agent) 42,960 | Telephone (508) 370-5150 |
| Name (Print/Type) | Byron V. Olsen |  | Date January 28, 2005    |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.